

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 5, 2001, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation – Rev. David McCann, Westwood Presbyterian Church
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Presentation to McConnell Air Force Base
 - Recognition of Doug Mahin
 - Proclamations
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UNFINISHED BUSINESS

1. Repair of Dangerous and Unsafe Structures – 637 South Osage and 804 West Hendryx. (District IV)

Property owners are asking for extensions of time from Council Action taken on May 1, 2001.

RECOMMENDED ACTION: Adopt Resolutions allowing 60 days
to complete exterior repairs (real estate
taxes to be paid current immediately).

NEW BUSINESS

2. Issuance of Hospital Facilities Improvement and Refunding Revenue Bonds – Via Christi.
(Districts II, III, and VI)

Via Christi is seeking an increase of the not-to-exceed amount in the Letter of Intent by \$17 million to allow additional funds in refinancing. Bond proceeds will be used to refinance outstanding Bonds and to finance the cost of purchasing, acquiring, constructing, furnishing, and equipping improvements to hospital facilities located in the City of Wichita and Pittsburg, Kansas.

RECOMMENDED ACTION: Close the public hearing; approve amendment to
Letter of Intent; approve the documents and first reading
of the Ordinance; authorize necessary signatures.

3. Issuance of Industrial Revenue bonds – Envision, Inc. (District III)

The City of Wichita previously issued \$4 million of the \$6 million Letter of Intent. Envision, Inc., is now requesting issuance of the remaining \$2 million to complete construction of a new training and employment facility for people with low or no vision.

RECOMMENDED ACTION: Close the public hearing; approve issuance of the Bonds and first reading of the Ordinance; authorize necessary signatures.

4. Letter of Intent for Industrial Revenue Bonds – Feist Publications, Inc. (District II)

Feist Publications is requesting a Letter of Intent for Industrial Revenue Bonds in an amount not-to-exceed \$5.5 million (and a 10-year property tax abatement) to finance the cost of acquiring, constructing, and equipping its corporate headquarters office near Webb Road and 29th Street North.

RECOMMENDED ACTION: Close the public hearing; approve the Letter of Intent and tax abatement; authorize necessary signatures.

5. Letter of Intent for Assisted Care and Independent Living Facility Refunding Revenue Bonds – Park West Plaza, L.L.C. (District V)

Park West Plaza is requesting a Letter of Intent in the amount of \$7 million to refinance current outstanding Bonds.

RECOMMENDED ACTION: Close the public hearing; approve the Letter of Intent; authorize necessary signatures.

6. Letter of Intent for Industrial Revenue Bonds – Sterling Pointe Apartments. (District IV)

Fore Properties is requesting a Letter of Intent in the amount of \$6.1 million to finance the cost of acquiring land, constructing, and equipping a residential housing project for senior citizens, to be known as Sterling Pointe Apartments.

RECOMMENDED ACTION: Close the public hearing; approve the Letter of Intent; authorize necessary signatures.

7. Petition to Pave the East-West Alley between Martinson and Elizabeth, McCormick and Irving. (District IV)

The signature on the petition represents one of three owners representing 76.19 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

8. City of Derby (El Paso) Wholesale Water Purchase Agreement.

The City of Derby is requesting the City of Wichita to approve a Wholesale Water Purchase Agreement.

RECOMMENDED ACTION: Approve the Agreement; authorize
necessary signatures.

(10:30 a.m.)

9. Repair or Removal of Dangerous and Unsafe Structures.

The Council adopted Resolutions providing for a public hearing on the following properties:

	<u>Property Address</u>	<u>Council District</u>
1)	1632 North Ash	I
2)	3121 South Yale	III

RECOMMENDED ACTION: Close the public hearing; adopt the
Resolutions.

CITY COUNCIL AGENDA

10. Board/Commission Appointments.

RECOMMENDED ACTION: Council Members will consider appointments to various Boards/Commissions.

CONSENT AGENDA

11. Report of the Board of Bids and Contracts Dated June 4, 2001.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts;
authorize the necessary signatures.

12. Application for License for Adult Entertainment Establishments/Services:

New Adult Entertainment

Robert Floyd	Armour Gift Shop Inc. dba Pricilla's	7500 East Kellogg Suite 300
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RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

13. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
June Galindo	Maria's Mexican Restaurant*	1611 South Broadway
		<u>(Consumption off Premises)</u>
Joe Gregory	Quiktrip #313	3164 South Hillside
Joe Gregory	Quiktrip #320	1021 West 31 st Street South
Joe Gregory	Quiktrip #321	6011 West Central
Joe Gregory	Quiktrip #325	1414 North Oliver
Joe Gregory	Quiktrip #326	2010 South Broadway
Joe Gregory	Quiktrip #328	2801 South Hydraulic
Joe Gregory	Quiktrip #329	5602 East Harry
Joe Gregory	Quiktrip #343	242 South Tyler
Joe Gregory	Quiktrip #345	4020 South Meridian
Joe Gregory	Quiktrip #347	1532 South Seneca
Joe Gregory	Quiktrip #349	1112 West Douglas
Joe Gregory	Quiktrip #353	110 South Rock Road
Joe Gregory	Quiktrip #356	4808 South Hydraulic
Joe Gregory	Quiktrip #358	7120 West 21 st Street South
Joe Gregory	Quiktrip #360	3933 West 13 th Street
Joe Gregory	Quiktrip #366	1620 South Webb Road
Joe Gregory	Quiktrip #368	626 West 21 st Street North
Joe Gregory	Quiktrip #369	3216 East Harry
Joe Gregory	Quiktrip #372	3106 East Pawnee
Joe Gregory	Quiktrip #373	1610 East Lincoln
Joe Gregory	Quiktrip #374	10315 West 13 th Street
Joe Gregory	Quiktrip #376	2106 South Rock Road
Joe Gregory	Quiktrip #378	5611 South Broadway
Joe Gregory	Quiktrip #383	11223 East Central
Joe Gregory	Quiktrip #384	2510 West Pawnee
Joe Gregory	Quiktrip #386	1010 East Douglas
Joe Gregory	Quiktrip #388	7991 East 37 th Street North
Joe Gregory	Quiktrip #389	4730 East Central
Joe Gregory	Quiktrip #391	730 North Broadway
Joe Gregory	Quiktrip #396	333 South West Street

<u>New Establishment</u>	<u>2001</u>	<u>Consumption off Premises</u>
Rick W. Brazile	Wal-Mart Supercenter #3283	10600 West 21 st Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

14. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

15. Preliminary Estimates:

- a) Lateral 305, Four Mile Creek Sewer to serve Tara Falls Addition and Tara Falls Second Addition - south of Harry, east of Greenwich. (468-83244/743869/480557) Does not affect existing traffic. (District II) - \$115,000.00
- b) Water distribution system to serve Shelly's Orchard Addition - east of Maize, north of Pawnee. (448-89549/735011/470681) Does not affect existing traffic. (District V) - \$76,000.00
- c) Water distribution system to serve Tara Falls Addition and Tara Falls Second Addition - south of Harry, east of Greenwich. (448-89565/735012/470682) Does not affect existing traffic. (District II) - \$57,000.00

RECOMMENDED ACTION: Approve and file.

16. Petitions for Public Improvements:

- a) [Street](#) paving, sanitary sewer, and water distribution system to serve Angel Fire Addition – north of 47th Street South, east of West Street. (District IV)
- b) Sanitary sewer to serve Shelly's Orchard Addition – east of Maize, north of Pawnee. (District V)
- c) [Waterline](#) along Rock Road to serve Sawmill Creek Addition – east of Rock Road, north of 45th Street North. (District II)
- d) [Sanitary](#) sewer to serve an area east of Hood, north of 31st Street North. (District VI)

RECOMMENDED ACTION: Approve the Petitions; adopt the Resolutions.

17. Minutes of Advisory Boards/Commissions:

District Advisory Board V, 4-2-01
District Advisory Board VI, 4-2-01 and 4-18-01
Design Council, 4-19-01
Board of Park Commissioners, 4-9-01
Wichita-Sedgwick County Board of Health, 4-30-01
Wichita-Sedgwick County Board of Health, Emergency Medical Services Committee, 5-3-01
Wichita Airport Advisory Board, 4-2-01
Housing Advisory Board, 4-02-01
Board of Electrical Appeals, 3-13-01
Board of Code Standards and Appeals, 4-02-01
Metropolitan Area Planning Commission, 4-5-01
Metropolitan Area Planning Commission, 4-19-01

RECOMMENDED ACTION: Receive and file.

18. [Consideration](#) of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

19. Agreements/Contracts:

- a) Parking management service extension of Contract.
- b) Kechi wholesale water service amendment.
- c) Settlement and release – Gilbert and Mosley Project.
- d) Pawnee Bridge over Dry Creek. (District III)
- e) Arts and Crafts Center – design and specifications for Library. (District VI)
- f) Professional services – electrical.

RECOMMENDED ACTION: Approve the Agreements/Contracts; authorize the necessary signatures.

20. Design Service – Supplemental Agreement for 21st Street North from Hillside to Oliver. (District I)

RECOMMENDED ACTION: Approve the Agreement; authorize the necessary signatures.

21. Change Order and Amending Ordinance – Zoo Boulevard Improvement from 13th Street to I-235. (District VI)

RECOMMENDED ACTION: Approve the Change Order, amended Preliminary Estimate, and first reading of the Ordinance; authorize necessary signatures.

22. Change Order – Sanitary Sewer to Serve Regency Park Addition – North of 21st Street North, West of Greenwich. (District II)

RECOMMENDED ACTION: Approve the Change Order; authorize necessary signatures.

23. Deferred Loan Program Budget Transfer.

RECOMMENDED ACTION: Approve the budget transfer.

24. 2001 Capital Improvement Program Street Rehabilitation Project. (Districts IV, V, and VI)

RECOMMENDED ACTION: Approve the project and first reading of the Ordinance.

25. Purchase of Belt Filter Press Extension – Water and Sewer Department.

RECOMMENDED ACTION: Approve the purchase.

26. Property Acquisitions:

- a) [532](#) South Edgemoor. (District II)
- b) [13130](#) West 37th Street North. (District I)

RECOMMENDED ACTION: Approve the budgets and Contracts; authorize the necessary signatures.

27. Sale of Property at 201-221 East Kellogg. (District I)

RECOMMENDED ACTION: Approve the budgets and Contracts; authorize the necessary signatures.

28. Second Reading Ordinances: (First read May 22, 2001)

- a) Charter Ordinance – Mayor position compensation.

A Charter Ordinance of the City of Wichita, Kansas, pertaining to the salary of the Mayor; amending Section 2 of Charter Ordinance No. 187; and repealing the original section thereof.

- b) Acquisition by eminent domain – tracts for the East Kellogg/Woodlawn Improvement Project (District II)

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and widening of Kellogg Avenue in the City of Wichita, Sedgwick county, Kansas; designating the lands required for such purposes and directing the City Attorney to file a Petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

- c) Assessments for sidewalk repair.

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

- d) Assessments for building condemnations.

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas.

- e) A01-10 – Northeast of 119th Street West and Pawnee. (District V)

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas. A01-10

RECOMMENDED ACTION: Adopt the Ordinances.

29. First Reading Ordinance:

a) Lot cleanup.

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7:40.050 of the Code of the City of Wichita, Kansas. Be it ordained by the Governing Body of the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*30. [VAC2001-00016](#) – Vacate 50-foot Taxiway Easement; Southwest of Harry Street and Eisenhower. (District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

*31. [VAC2001-00017](#) – Vacate Portion of Drainage Easement; Legion and Bella Road. (District VI)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

*32. [VAC2001-00019](#) – Vacate Utility Easements, Drainage Easement, and Reserve; North of 29th Street North, West of Ridge Road. (District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

*33. [SUB2000-122](#) – Replat of Portion of Spencer Gardens Addition; South of Pawnee, West of Oliver. (District III)

RECOMMENDED ACTION: Approve documents and plat; adopt Resolutions; approve first reading of ZON2000-60 Ordinance; authorize necessary signatures.

*34. [SUB2001-28](#) – Plat of Creek Addition; East Side of 119th Street West, North side of Pawnee. (District V)

RECOMMENDED ACTION: Approve the documents and plat; adopt the Resolutions; authorize necessary signatures.

- *35. [CON2001-00026](#) – Conditional Use to Allow Household Hazardous Waste Transfer Station; South of Stillwell, West of Osage – 1203 South Osage. (District IV)

RECOMMENDED ACTION: Approve conditional Use and adopt the Resolution.

- *36. [ZON2001-00023](#) – Zone Change from Multi-Family to Limited Commercial; Northwest of Central Avenue/Pennsylvania Avenue Intersection. (District I)

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

- *37. [ZON2001-00025](#) – Zone Change from Multi-Family Residential to General Commercial; West of Hydraulic, South of Third Street. (District I)

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

- *38. [ZON2001-00026](#) – Zone Change from General Office to Limited Commercial; North of Central, West of Boyd. (District V)

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

- *39. [ZON2001-00027](#) – Zone Change from Single-Family Residential to Limited Commercial; Northwest Corner of Central and Elder. (District VI)

RECOMMENDED ACTION: Deny the request for “LC;” approve “NR”, subject to condition of platting within one year; forward Ordinance for first reading when Plat is forwarded to the City Council.

- *40. [ZON2001-00029](#) – Zone Change from Single-Family Residential and Limited Commercial to Limited Commercial and Single-Family Residential; Southwest Corner of 45th Street North and Oliver. (District I)

RECOMMENDED ACTION: Approve the zone change subject to condition of platting within one year; forward Ordinance for first reading when Plat is forwarded to the City Council.

- *41. [ZON2001-00031](#) – Zone Change from Multi-Family to Office Warehouse; Southwest Corner of English and Kansas. (District I)

RECOMMENDED ACTION: Approve zone change subject to additional provision of Protective Overlay District and first reading of the Ordinance.

- *42. [A01-09 – Request to Annex Land Generally Located North of the Starwest Addition on Ridge Road.](#) (District V)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

- *43. [A01-12 – Request to Annex Land Generally Located at the Southwest Corner of MacArthur and Hoover Road.](#) (District V)

RECOMMENDED ACTION: Approve the Annexation and first reading of the Ordinance.

- *44. [A01-11 – Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties Generally Located North of 21st Street North, and East and West of Hoover.](#) (District V)

RECOMMENDED ACTION: Adopt the Resolution establishing the public hearing on August 7, 2001, at 7:00 p.m., at the Sedgwick County Extension Office.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

45. [Airfield Pavement – Taxiway “AAAA” Construction.](#)

RECOMMENDED ACTION: Approve the Contract; authorize necessary signatures.

46. [High Voltage Cable System Improvements.](#)

RECOMMENDED ACTION: Approve the Contract; authorize necessary signatures.

47. [Grant Offer – Study and Design Phase I Taxilane “AAA.”](#)

RECOMMENDED ACTION: Accept the Grant Offer; authorize necessary signatures.

Adjournment
